

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

CHARLES L. HEITZ,)	
)	
Claimant,)	IC 02-007593
v.)	
)	
JOHN STEPHENSON, Employer, and)	ORDER
IDAHO STATE INSURANCE FUND, Surety,)	
)	
and)	
)	FILED AUG 15 2005
STATE OF IDAHO, INDUSTRIAL)	
SPECIAL INDEMNITY FUND,)	
)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Douglas A. Donohue submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusion of law to the members of the Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusion of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. The Industrial Special Indemnity Fund is not liable under Idaho Code § 72-332.
2. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to the issue adjudicated.

DATED this 15TH day of AUGUST, 2005.

INDUSTRIAL COMMISSION

/S/_____
Thomas E. Limbaugh, Chairman

/S/_____
James F. Kile, Commissioner

/S/_____
R. D. Maynard, Commissioner

ATTEST:

/S/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on 15TH day of AUGUST, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following:

Richard K. Dredge
P.O. Box 9499
Boise, ID 83707-3499

Kenneth L. Mallea
P.O. Box 857
Meridian, ID 83680

db

/S/_____